

REMARKS

The Office Action dated November 4, 2004, has been received and carefully noted. The attached Terminal Disclaimer and the following remarks are submitted as a full and complete response thereto.

Claims 1-8 are pending in the present application and are respectfully submitted for consideration.

Allowable Subject Matter

As a preliminary matter, Applicants appreciate the indication of allowable subject matter in claim 7 of the present application.

Double Patenting

Claims 1-6 and 8 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 of Yagishita et al. (U.S. Patent No. 6,447,299, "Yagishita") in view of Kitamoto et al. (U.S. Patent No. 6,421,292, "Kitamoto").

Applicants respectfully submit the attached Terminal Disclaimer to overcome the obviousness-type double patenting rejection based on Yagishita in view of Kitamoto. It is respectfully submitted that the filing of said Terminal Disclaimer is not an admission by the Applicants of the propriety of the rejection. Given the above, Applicants respectfully request that the obviousness-type double patenting rejection be withdrawn, and request that claims 1-8 be allowed.

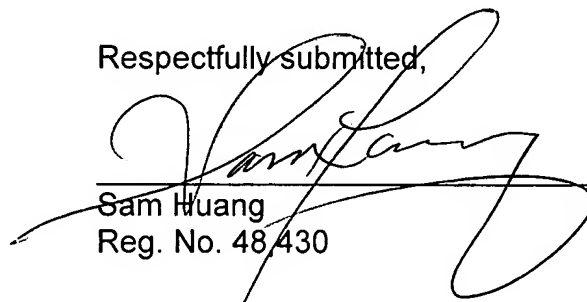
Conclusion

In view of the above, Applicants respectfully submit that each of claims 1-8 recites subject matter that is neither disclosed nor suggested in the cited prior art. Applicant also submits that the subject matter is more than sufficient to render the claims non-obvious to a person of ordinary skill in the art, and therefore respectfully request that claims 1-8 be found allowable and that this application be passed to issue.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, referencing docket number 107337-00006.

Respectfully submitted,



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Enclosure: Terminal Disclaimer
Petition for Extension of Time (1 month)